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ROLAND CORPORATION

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

ROLAND CORPORATION, a Japanese corporation

Case No: **CV 08-04785 GAF(MANx)**

Plaintiff,

vs.

WIRGES PERCUSSION SYSTEMS
LLC, an Arkansas limited liability
company,

**ORDER GRANTING STIPULATED
CONSENT JUDGMENT AND
PERMANENT INJUNCTION**

Defendant.

1 By agreement and consent to the terms set forth herein by the parties hereto,
 2 Plaintiff **Roland Corporation** and Defendant **Wirges Percussion Systems LLC**
 3 (**individually or collectively “Wirges”**)—and full settlement of all claims having
 4 been reached, this Court hereby, ORDERS, ADJUDGES AND DECREES THAT:

5 1. This Court has jurisdiction over the Parties and the subject matter of
 6 this action, and venue is proper in the Central District of California.

7 2. The parties so agreeing, Roland Corporation is the owner of United
 8 States Patent No. 6,121,538 (the “‘538 patent”) entitled *Electronic Percussion*
 9 *Instrumental System and Percussion Detecting Apparatus Therein* was duly and
 10 legally issued on September 19, 2000. Roland owns all right, title, and interest in
 11 the ‘538 patent. The ‘538 patent currently is not invalid, is enforceable, and is
 12 subsisting.

13 3. The ‘538 patent is referred to herein as the “patent-in-suit.”

14 4. The parties have settled all of their claims in the above-styled matter.

15 5. By stipulation of the Parties, a Permanent Injunction is hereby entered
 16 in the present case, permanently restraining and enjoining Defendant Wirges and
 17 any and all persons in active concert or participation with, through, or under them
 18 including all their officers, directors, agents, servants, employees, attorneys,
 19 representatives, successors and assigns, from directly or indirectly engaging in any
 20 conduct to make, use, offer to sell or sell within the United States or import into
 21 the United States any product that is covered by one or more unexpired valid claim
 22 in any one or more of U.S. Patent Nos. 6,121,538, 6,271,458, 6,756,535, 6,921,857
 23 and 7,385,135, where a claim shall be presumed to be valid as long as it has not been
 24 held invalid by a U.S. court of competent jurisdiction in a final determination of
 invalidity from which no appeal is available.

25 6. By stipulation of the Parties, Wirges is ordered to cooperate and comply
 26 with Roland and its counsel in accordance with terms of their Settlement Agreement,
 27 to remove from the website <http://www.percussion-systems.com>, any and all offers

1 for sale of any product that is covered by one or more of the claims in any one or
2 more of U.S. Patent Nos. 6,121,538, 6,271,458, 6,756,535, 6,921,857 and 7,385,135.

3 7. This court retains jurisdiction to consider, upon application by any party,
4 any violation of the terms of this order and Judgment.

5 8. This court also retains jurisdiction to consider and determine any breach
6 of the Settlement Agreement and Release entered into between the parties hereto
7 and those parties agree that any matter arising out of or relating to that Settlement
8 Agreement shall be litigated in this Court.

9 IT IS SO ORDERED.

10 DATED: June 11, 2009

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Gary Allen Feess
United States District Judge

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